

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

MATTHEW A. PEQUIGNOT,)
Plaintiff,)
v.) Civil No. 1:07-CV-00897-LMB-TCB
SOLO CUP COMPANY,)
Defendant.) JURY TRIAL DEMANDED

**SOLO CUP COMPANY'S MOTION TO DISMISS
FOR LACK OF SUBJECT MATTER JURISDICTION
PURSUANT TO FED. R. CIV. P. 12(b)(1)**

Defendant Solo Cup Company ("Solo Cup") hereby moves to dismiss Plaintiff Matthew A. Pequignot's Amended Complaint for False Patent Marking for the reasons set forth in its Memorandum In Support Of The Motion To Dismiss For Lack Of Subject Matter Jurisdiction Pursuant To Fed. R. Civ. P. 12(b)(1).

Respectfully submitted,

Dated: March 21, 2008

/s/ Mary C. Zinsner

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CERTIFICATE OF SERVICE

I hereby certify that on the 21st day of March, 2008, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF). And I hereby certify that I will electronically mail and mail the document by U.S. mail to the following non-filing user:

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Plaintiff

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